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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 455**

**ANIMALS**

**ANIMAL HEALTH**

**The Foot-and-Mouth Disease (Scotland)  
Amendment (No. 2) Order 2007**

*Made* - - - - *8th October 2007*

*Coming into force* - - *9th October 2007*

The Scottish Ministers make the following Order in exercise of the powers in section 1 of the Animal Health Act 1981(1), and of all other powers enabling them in that behalf.

**Citation and commencement**

1.—(1) This Order may be cited as the Foot-and-Mouth Disease (Scotland) Amendment (No. 2) Order 2007, and comes into force on 9th October 2007.

**Amendment**

2.—(1) The Foot-and-Mouth Disease (Scotland) Order 2006(2) is amended in accordance with this article.

(2) In paragraph (1) of article 2, for the definition of “susceptible animal” substitute—

““susceptible animal” means cattle, a sheep, goat, deer, camel, llama, alpaca, guanaco, vicuna, any other ruminant, any swine (that is, a member of the suborder *Suina* of the order *Artiodactyla*) or an elephant;”.

(3) In Schedule 6, for paragraph 1 substitute—

**“Movement of susceptible animals in a restricted zone**

1.—(1) No person shall move a susceptible animal—

(a) from premises within a restricted zone; or

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(1) 1981 c. 22, amended by the Animal Health Act 1981 (Amendment) Regulations 1992 (S.I.1992/3293), and extended by section 3 of the Animal Health and Welfare Act 1984 (c. 40). The functions conferred under the 1981 Act on “the Ministers” (as defined in section 86 of that Act) are now exercisable by the Scottish Ministers. They were transferred, so far as within devolved competence, by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) S.S.I. 2006/44, amended by S.S.I. 2007/429.

- (b) into or out of a restricted zone,  
except under the authority of a licence granted by an inspector (which shall include a condition relating to the cleansing and disinfection of any vehicle used to move the animal).
- (2) The person in charge of any vehicle used to move an animal under such a licence shall ensure that the vehicle is cleansed and disinfected without delay in accordance with—
- (a) the conditions of the licence; and
  - (b) any additional directions an inspector may give by serving a notice on that person.
- (3) But this paragraph does not apply in any part of a restricted zone which is also part of protection zone, surveillance zone or vaccination zone.”

NEIL RITCHIE

Pentland House,  
Edinburgh  
8th October 2007

A member of the staff of the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Foot-and-Mouth Disease (Scotland) Order 2006 (“the principal Order”).

Article 2(1) of this Order re-enacts with modifications the definition of “susceptible animal” in the principal Order so that it no longer means a rodent.

Article 2(2) of this Order re-enacts with modifications paragraph 1 of Schedule 6 (measures that apply in a restricted zone) to the principal Order.

The new paragraph provides that a vehicle used to move susceptible animals shall be cleansed or disinfected in accordance with conditions to be applied to the licence authorising the movement, and any other conditions applied to the movement by a direction by an inspector. The requirements set out in paragraph 45 (cleansing and disinfection of vehicles transporting susceptible animals) the principal Order no longer apply to movements in a restricted zone.

The new paragraph further provides that the movement restriction in that paragraph will not apply in any part of a restricted zone that is also part of a surveillance zone.

A regulatory impact assessment has not been prepared for this Order.